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United Nations Conference on Trade and Development

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Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices
Geneva, 6–10 July 2015
Item 4 of the provisional agenda
Adoption of the agenda and organization of work of the Conference

Annotated provisional agenda and organization of work

I. Provisional agenda

1. Opening of the Conference.[1]
2. Election of the President and other officers.
3. Adoption of the rules of procedure.
4. Adoption of the agenda and organization of work of the Conference.
5. Credentials of the representatives to the Conference:
   (a) Appointment of a Credentials Committee;
   (b) Report of the Credentials Committee.
6. Review of all aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices:
   (a) Review of application and implementation of the Set;
   (b) Consideration of proposals for the improvement and further development of the Set, including international cooperation in the field of control of restrictive business practices.
7. Other business.
8. Adoption of the report of the Conference.

[1] Conference website: http://unctad.org/en/pages/MeetingDetails.aspx?meetingid=609.

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II. Annotations

1. The General Assembly, in paragraph 23 of its omnibus trade resolution 65/142, adopted on 2 February 2011, decided to convene a Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices. The Conference is to be held under the auspices of UNCTAD in Geneva, Switzerland, in 2015. The Intergovernmental Group of Experts on Competition Law and Policy, at its fourteenth session, which took place from 8 to 10 July 2014, acted as the preparatory body for the Conference and approved the Provisional agenda for the Seventh Review Conference. The report of the Intergovernmental Group of Experts on Competition Law and Policy at its fourteenth session is contained in document TD/B/C.I/CLP/34.

Item 1
Opening of the Conference

2. The Conference will be opened at 10 a.m. on Monday, 6 July 2015, by the Secretary-General of UNCTAD or by his representative.

Item 2
Election of the President and other officers

3. Rule 7 of the provisional rules of procedure of the Conference (TD/RBP/CONF.7/9) provides that the Conference shall elect, with due regard to equitable geographical distribution, a President, a Rapporteur and Vice-Presidents. The President, the Vice-Presidents and the Rapporteur shall constitute the Bureau of the Conference.

Item 3
Adoption of the rules of procedure

4. The provisional rules of procedure of the Conference, as adopted by the previous six Conferences, are contained in document TD/RBP/CONF.7/9.

Documentation

TD/RBP/CONF.7/9	Provisional rules of procedure of the Conference

Item 4
Adoption of the agenda and organization of work of the Conference

5. The text of the provisional agenda, as set out in chapter I above, was approved by the Intergovernmental Group of Experts on Competition Law and Policy at its fourteenth session (see TD/B/C.I/CLP/34, annex I).

Regional group meetings

6. Appropriate time and facilities shall be made available daily throughout the duration of the Conference for regional group meetings.

Facilities available

7. There will be interpretation facilities available from 10 a.m. to 1 p.m. in the mornings and from 3 p.m. to 6 p.m. in the afternoons throughout the duration of the Conference.

Work of the Conference

8. The Conference has at its disposal five working days from 6 to 10 July 2015. It is suggested that the first meeting, on 6 July, be devoted to procedural matters, namely items 1 to 5 (a) of the provisional agenda, as well as to a high-level segment, interactive debate and opening statements, and that the last meeting, on 10 July, be devoted to items 5 (b) to item 8. The remaining meetings would be devoted to the substantive item 6 and to the informal consultations. A proposed programme of work is provided in the annex to this document.

Documentation

TD/RBP/CONF.8/1	Annotated provisional agenda and organization of work

Item 5
Credentials of the representatives to the Conference

9. Rule 5 of the provisional rules of procedure provides that a Credentials Committee shall be appointed at the beginning of the Conference. It shall examine the credentials of representatives and report to the Conference.

(a) Appointment of a Credentials Committee

(b) Report of the Credentials Committee

Item 6
Review of all aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices

(a) Review of application and implementation of the Set

10. In acting as the preparatory body for the Seventh Review Conference, the Intergovernmental Group of Experts on Competition Law and Policy, at its fourteenth session on 8–10 July 2014, invited the Secretary-General of UNCTAD to prepare an assessment of the operation of the United Nations Set (see TD/B/C.I/CLP/34, agreed conclusions).

11. The assessment prepared by the UNCTAD secretariat is contained in document TD/RBP/CONF.8/2. In addition, Governments will be invited to present their views on the implementation of the United Nations Set under this agenda item. Written contributions of the participants will be made available on the Conference website.[2]

12. The following documents will be submitted:

(a) Assessment of the application and implementation of the Set (TD/RBP/CONF.8/2);

(b) An updated version of chapter I the Model Law on Competition (TD/RBP/CONF.8/L.1);

(c) An updated version of chapter IV the Model Law on Competition (TD/RBP/CONF.8/L.2);

[2] http://unctad.org/en/pages/MeetingDetails.aspx?meetingid=609.

(d) An updated version of chapter VIII the Model Law on Competition (TD/RBP/CONF.8/L.3);

(e) An updated version of chapter XI the Model Law on Competition (TD/RBP/CONF.8/L.4);

(f) An updated version of chapter XIII the Model Law on Competition (TD/RBP/CONF.8/L.5).

(b) Consideration of proposals for the improvement and further development of the Set, including international cooperation in the field of control of restrictive business practices

13. In order to assist the Seventh Review Conference in its work, the Trade and Development Commission at its seventh session, to be held from 18 to 22 May 2015, will welcome regional initiatives in convening preparatory meetings for the Seventh Review Conference, with the assistance of the UNCTAD secretariat, focusing on reviewing the respective experiences in the implementation of the United Nations Set.

14. The Intergovernmental Group of Experts on Competition Law and Policy, at its fourteenth session, further recommended that the Seventh Review Conference consider the issues related to the better implementation of the Set as set out below.

15. Accordingly, the Conference will hold informal consultations to exchange views on these important competition policy issues. Governments are invited to submit short notes on their interventions in advance to the UNCTAD secretariat in order for these to be reproduced and made available to participants.

16. The Intergovernmental Group of Experts at its fourteenth session also requested the UNCTAD secretariat to prepare five clusters of issues under separate sessions for consideration by the Seventh Review Conference:

(a) Ways and means to strengthen competition agencies in order to better deliver competition policy enforcement and advocacy;

(b) Feedback from recently peer-reviewed countries with competition agencies on enforcement and changes since the peer reviews;

(c) The role of competition policy in promoting sustainable and inclusive growth;

(d) International cooperation in merger cases as a tool for effective enforcement of competition law;

(e) The benefits and the role of competition for consumers in the pharmaceutical sector.

17. Accordingly, the Conference will have before it a report on each of the topics listed above. The following documents will be submitted:

(a) The role of competition policy in promoting sustainable and inclusive growth (TD/RBP/CONF.8/6);

(b) The role of competition in the pharmaceutical sector and its benefits for consumers (TD/RBP/CONF.8/3);

(c) Ways and means to strengthen competition law enforcement and advocacy (TD/RBP/CONF.8/5);

(d) International cooperation in merger cases as a tool for effective enforcement of competition law (TD/RBP/CONF.8/4);

(e) Feedback for improving the efficiency of the application of UNCTAD voluntary peer reviews (TD/RBP/CONF.8/10);

(f) Capacity-building and technical assistance on competition and consumer protection law and policy: Review and outlook (TD/RBP/CONF.8/7).

18. The Conference will also hold voluntary peer reviews on the competition law and policy of Albania, and of Fiji and Papua New Guinea. As basic documents for the peer reviews, the Conference will have before it four reports as called for by the fourteenth session of the Intergovernmental Group of Experts on Competition Law and Policy:

(a) An overview of the Voluntary Peer Review on Competition Law and Policy of Albania (TD/B/RBP/Conf.8/8);

(b) A report of the Voluntary Peer Review on Competition Law and Policy of Albania (UNCTAD/DITC/CLP/2015/1);

(c) An overview of the Voluntary Peer Review on Competition Law and Policy of Fiji and Papua New Guinea (TD/B/RBP/CONF.8/9);

(d) A report of the Voluntary Peer Review on Competition Law and Policy of Fiji and Papua New Guinea (UNCTAD/DITC/CLP/2015/2).

19. Delegates wishing to participate in the peer reviews on the competition law and policy of Albania, and Fiji and Papua New Guinea are invited to inform the UNCTAD secretariat in advance of the Conference so that the programme for the peer review can be finalized in time and participants have adequate time to prepare themselves for the consultations.

Item 7
Other business

19. The Conference shall, among other issues, discuss and adopt a provisional agenda for the fifteenth session of the Intergovernmental Group of Experts on Competition Law and Policy.

Item 8
Adoption of the report of the Conference

20. Rule 52 of the provisional rules of procedure states that the Conference may recommend to the General Assembly the adoption of amendments to the United Nations Set of Principles and Rules. Rule 52 of the provisional rules of procedure also provides that the Conference shall adopt a report on its proceedings. The final report of the Seventh Review Conference will be submitted to the United Nations General Assembly through the Trade and Development Board.

Annex

Proposed draft work programme

	Monday 6 July	*Tuesday 7 July*	*Wednesday 8 July*	*Thursday 9 July*	*Friday 10 July*
10 a.m.–1 p.m.	**Opening plenary** Inaugural ceremony followed by • Items 1–5 (a) • High-level segment followed by interactive debate and general statements	**Item 6 (a) and (b)** – Ways and means to strengthen competition agencies in order to better deliver competition policy enforcement and advocacy	**Item 6 (a) and (b)** – The benefits and the role of competition for consumers in the pharmaceutical sector	**Item 6 (a) and (b)** – Report of the work of the ad hoc expert meeting on the interface between consumer and competition policies, including proposal for the revision of the United Nations Guidelines for Consumer Protection	**Item 6 (a) and (b) (cont'd)** – Capacity-building activities – Evaluation of UNCTAD voluntary peer reviews: Feedback of the peer review process
15.00–18.00	**Item 6 (a) and (b)** – Voluntary peer review on competition law and policy: Fiji and Papua New Guinea	**Item 6 (a) and (b)** – Voluntary peer review of competition law and policy: Albania	**Item 6 (a) and (b)** – International cooperation in merger cases as a tool for effective enforcement of competition law: An updated review of capacity-building and technical assistance on competition law and policy	**Item 6 (a) and (b)** – Review of the Implementation of the United Nations Set of Principles on Competition Policy – Consultations on the revised chapters I, IV, VIII, XI and XIII of the UNCTAD Model Law on Competition	**Closing plenary** **Item 5 (b)** – Report of the Credentials Committee **Item 6** – Adoption of the draft resolution of the Conference **Item 7** – Other business – Adoption of the provisional agenda for the Intergovernmental Group of Experts, fifteenth session **Item 8** – Adoption of the report of the Conference